

16 KAR 3:040. Director of special education.

RELATES TO: KRS 156.101, 157.250, 161.020, 161.030

STATUTORY AUTHORITY: KRS 157.250, 161.020, 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board. KRS 161.028(1)(b) requires that a teacher education institution be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures established by the Education Professional Standards Board. This administrative regulation establishes the director of special education certificate, the program approval standards for the preparation-certification program for directors of special education, and acceptable certificates for individuals who may serve in a position that supervises, directs, administers, or coordinates special education programs.

Section 1. Definitions. (1) "Level I" means the standards-based program of studies designed for minimal preparation to serve in the position of director of special education.

(2) "Level II" means the standards-based program of studies to attain the first five (5) year renewal of the certificate for the position of director of special education.

(3) "Qualified applicant" means an applicant who holds the appropriate certification as a director of special education unless the superintendent of the employing school district has documented evidence that the applicant is unsuitable for appointment.

Section 2. (1) The professional certificate for director of special education shall be issued in accordance with KRS Chapter 161 and KAR Title 16 to an applicant who has satisfied the prerequisites and who has completed an approved program of preparation that corresponds to the certificate at a teacher education institution approved under the standards and procedures included in 16 KAR 5:010 and this section.

(2) As prerequisites for the Level I program of preparation for the initial professional certificate for director of special education, the candidate shall:

(a) Have been admitted to a preparation program approved by the Education Professional Standards Board pursuant to 16 KAR 5:010;

(b) Have completed three (3) years of full-time experience as a teacher or school psychologist with a minimum of one (1) year as a teacher of exceptional children or school psychologist;

(c) Have attained a master's degree; and

(d) Qualify for a Kentucky teaching certificate or school psychologist certificate.

(3) If a candidate's master's degree is not in the educational leadership field, a teacher education institution may require additional coursework in this field as part of the Level I preparation.

(4) Application for the professional certificate for director of special education shall be made on Form CA-1, incorporated by reference in 16 KAR 2:010.

(5) The initial professional certificate for director of special education shall be:

(a) Except as established in Section 4(1) of this administrative regulation, issued for a duration period of five (5) years upon the successful completion of a Level I program approved by the Education Professional Standards Board pursuant to 16 KAR 5:010; and

(b) Renewed subsequently for five (5) year periods.

1. The first renewal shall require the completion of a Level II program approved by the Education Professional Standards Board pursuant to 16 KAR 5:010.

2. Each five (5) year renewal thereafter shall require the completion of:
 - a. Two (2) years of experience as a director of special education;
 - b. Three (3) semester hours of additional graduate credit or the equivalent related to the position of the director of special education; or
 - c. Forty-two (42) hours of approved training selected from programs approved for the Kentucky Effective Instructional Leadership Program provided in KRS 156.101.

(6)(a) If a lapse in certification occurs for lack of completion of the Level II preparation, the certification may be reissued for a five (5) year period upon successful completion of the Level II preparation.

(b) If a lapse in certification occurs for the lack of the renewal requirements, the certificate may be reissued after the completion of an additional six (6) semester hours of graduate study or the equivalent appropriate to the program.

(7) Graduate level credit earned in the Level I and Level II preparation programs established in this section shall be eligible for consideration of Rank I classification pursuant to 16 KAR 8:010, "Plan I" or "Plan II".

Section 3. Each person whose job description includes supervising, directing, administering, or coordinating special education programs, at the district-wide level shall be required to hold one (1):

- (1) Endorsement for director of special education;
- (2) Professional certificate for director of special education;
- (3) Endorsement for supervisor of special education;
- (4) Endorsement for teacher consultant for special education;
- (5) Certificate valid for supervisor of instruction for persons serving in that position on July 14, 1992, as provided by KRS 157.250; or
- (6) Valid certificate possessing the code ADSE for approval of director of special education.

Section 4.(1) If a qualified applicant is not available for the position of director of special education, the superintendent on behalf of the local board of education may request a professional certificate for director of special education for a two (2) year period for an applicant who has:

- (a) A valid Kentucky certificate for teachers of exceptional children;
- (b) A master's degree;
- (c) Three (3) years of full-time experience teaching exceptional children;
- (d) Completed a course in special and regular education case law; and
- (e) Been admitted to the preparation program for the professional certificate for director of special education.

(2) Application for the two (2) year certificate for a director of special education shall be made on Form CA-28.

(3) The applicant shall complete the total curriculum for the professional certificate for director of special education by September 1 of the year of expiration.

Section 5. Incorporation by Reference. (1) "Form CA-28", 10/15, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (2 Ky.R. 83; eff. 9-10-1975; Am. 5 Ky.R. 614; eff. 3-7-1979; 10 Ky.R. 295; eff. 9-7-1983; 15 Ky.R. 2440; eff. 8-5-1989; 19 Ky.R. 2317; 20 Ky.R. 77; eff. 7-1-1993; 27 Ky.R. 854; 1469; eff. 12-21-2000; Recodified from 704

KAR 20:198, 7-2-2002; 30 Ky.R. 1325; 1759; eff. 1-23-2004; 42 Ky.R. 809; 1452; eff. 12-4-2015.)